

Message Text

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PAGE 01 STATE 118309
ORIGIN OES-07

INFO OCT-01 EA-10 ISO-00 SSO-00 NSCE-00 INRE-00 ICAE-00
CIAE-00 DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00
PA-01 SP-02 SS-15 EB-08 COME-00 DLOS-09 INT-05
TRSE-00 CEQ-01 IO-13 AGRE-00 /091 R

DRAFTED BY OES/OFA:JDNEGROPONTE/L/OES:DCOLSON:MAC
APPROVED BY OES/OFA:JDNEGROPONTE
L/OES:MMACLEOD

-----055013 092340Z /61

O 092321Z MAY 78 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY SUVA NIACT IMMEDIATE
INFO AMEMBASSY CANBERRA IMMEDIATE
AMEMBASSY PORT MORESBY IMMEDIATE
AMEMBASSY WELLINGTON IMMEDIATE

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E.O. 11652: N/A

TAGS: EFIS, PLOS, EF, XP

SUBJECT: SOUTH PACIFIC REGIONAL FISHERIES ORGANIZATION

1. YOU ARE AUTHORIZED TO MAKE THE FOLLOWING RESPONSE TO
SPEC IN REPLY TO HIS LETTER: (A) UNITED STATES JURIDICAL
POSITION HAS NOT REPEAT NOT CHANGED NOR IS IT LIKELY TO
IN THE NEAR FUTURE; (B) UNDER U.S. LEGAL SYSTEM A LATER-
IN-TIME TREATY CAN HAVE THE EFFECT OF MAKING NON-
OPERATIVE PROVISIONS TO U.S. LAW WHICH ARE AT VARIANCE
WITH TERMS OF THE TREATY. (C) U.S. IS NOT PREPARED TO
SIGN A TREATY WHICH REQUIRES RECOGNITION OF COASTAL STATE
JURISDICTION OVER TUNA; (C) WE REMAIN, HOWEVER, KEENLY
INTERESTED IN JOINING AN ORGANIZATION IN WHICH MEMBER
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NATIONS MAY AGREE ON COMMON CONSERVATION MEASURES, IN-
CLUDING REGULATION OF TUNA FISHING, TO BE ADOPTED BY
MEANS OF INTERNATIONALLY AGREED RECOMMENDATIONS TO
GOVERNMENTS. (E) IN THE CONTEXT OF AN INTERNATIONAL
ORGANIZATION ESTABLISHED BY TREATY TO WHICH THE UNITED
STATES WERE A PARTY AND WHICH PROVIDED MECHANISM FOR
MEMBER NATIONS TO TAKE COMMON CONSERVATION MEASURES, U.S.

TUNA FISHERMEN WOULD BE BOUND BY ANY FISHING REGULATIONS
TO WHICH WE HAD AGREED, ASSUMING, OF COURSE, RATIFICATION
OF TREATY AND PASSAGE OF APPROPRIATE IMPLEMENTING

LEGISLATION. UNDER SUCH ARRANGEMENTS, PROVISIONS OF
U.S. FISHERMAN'S PROTECTIVE ACT AND OTHER RELEVANT
LEGISLATION WOULD NOT APPLY IN A CASE WHERE U.S. VESSEL
WAS SEIZED FOR A VIOLATION OF SUCH AN INTERNATIONALLY
AGREED CONSERVATION MEASURE.

2. WE WOULD STRONGLY PREFER THAT YOU MAKE THESE POINTS
ORALLY ALTHOUGH IF IN YOUR JUDGMENT IT WOULD BE SIGNI-
FICANTLY MORE EFFECTIVE TO MAKE THEM IN WRITING YOU MAY
DO SO IN THE FORM OF A LETTER FROM YOU TO SPEC. VANCE

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PAGE 01 STATE 118309
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INFO OCT-01 ISO-00 OES-07 /017 R

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APPROVED BY D/LOS:ABERLIND
OES:TSDULLY

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R 110129Z MAY 78
FM SECSTATE WASHDC
INFO USMISSION GENEVA 1820

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FOR USDEL LOS

FOL RPT STATE 118309 SENT ACTION SUVA INFO CANBERRA, PORT MORESBY,
WELLINGTON DTD 09 MAY 78

QUOTE: LIMITED OFFICIAL USE STATE 118309

E.O. 11652: N/A

TAGS: EFIS, PLOS, EF, XP

SUBJECT: SOUTH PACIFIC REGIONAL FISHERIES ORGANIZATION

1. YOU ARE AUTHORIZED TO MAKE THE FOLLOWING RESPONSE TO SPEC IN REPLY TO HIS LETTER: (A) UNITED STATES JURIDICAL POSITION HAS NOT REPEAT NOT CHANGED NOR IS IT LIKELY TO IN THE NEAR FUTURE; (B) UNDER U.S. LEGAL SYSTEM A LATER-IN-TIME TREATY CAN HAVE THE EFFECT OF MAKING NON-OPERATIVE PROVISIONS TO U.S. LAW WHICH ARE AT VARIANCE WITH TERMS OF THE TREATY. (C) U.S. IS NOT PREPARED TO SIGN A TREATY WHICH REQUIRES RECOGNITION OF COASTAL STATE LIMITED OFFICIAL USE

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JURISDICTION OVER TUNA; (C) WE REMAIN, HOWEVER, KEENLY INTERESTED IN JOINING AN ORGANIZATION IN WHICH MEMBER NATIONS MAY AGREE ON COMMON CONSERVATION MEASURES, INCLUDING REGULATION OF TUNA FISHING, TO BE ADOPTED BY MEANS OF INTERNATIONALLY AGREED RECOMMENDATIONS TO GOVERNMENTS. (E) IN THE CONTEXT OF AN INTERNATIONAL ORGANIZATION ESTABLISHED BY TREATY TO WHICH THE UNITED STATES WERE A PARTY AND WHICH PROVIDED MECHANISM FOR MEMBER NATIONS TO TAKE COMMON CONSERVATION MEASURES, U.S. TUNA FISHERMEN WOULD BE BOUND BY ANY FISHING REGULATIONS TO WHICH WE HAD AGREED, ASSUMING, OF COURSE, RATIFICATION OF TREATY AND PASSAGE OF APPROPRIATE IMPLEMENTING

LEGISLATION. UNDER SUCH ARRANGEMENTS, PROVISIONS OF U.S. FISHERMAN'S PROTECTIVE ACT AND OTHER RELEVANT LEGISLATION WOULD NOT APPLY IN A CASE WHERE U.S. VESSEL WAS SEIZED FOR A VIOLATION OF SUCH AN INTERNATIONALLY AGREED CONSERVATION MEASURE.

2. WE WOULD STRONGLY PREFER THAT YOU MAKE THESE POINTS ORALLY ALTHOUGH IF IN YOUR JUDGMENT IT WOULD BE SIGNIFICANTLY MORE EFFECTIVE TO MAKE THEM IN WRITING YOU MAY DO SO IN THE FORM OF A LETTER FROM YOU TO SPEC. VANCE UNQUOTE VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHERIES, DIPLOMATIC NOTES, REGIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
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Film Number: D780197-0102
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780577/aaaacnnd.tel
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Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b901b1a1-c288-dd11-92da-001cc4696bcc
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Exemptions: n/a
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TAGS: EFIS, PLOS, US, XP
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